

01-20-2004

Form PTO-1594

(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

Tab settings



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U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 1-8-04
Fleet National Bank, as Administrative Agent
(Successor to BankBoston, N.A.)

- ☐ Individual(s) ☐ Association
☐ General Partnership ☐ Limited Partnership
☒ Corporation-State
☐ Other _____

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☒ Other Release of Security Interest

Execution Date: 12/10/2003

2. Name and address of receiving party(ies)

Name: Atrium Door and Window Company -

Internal

Address: West Coast, 1341 West MockingbirdStreet Address: Lane, Suite 1200 WCity: Dallas State: TX Zip: 75247

- ☐ Individual(s) citizenship _____
☐ Association _____
☐ General Partnership _____
☐ Limited Partnership _____
☒ Corporation-State Connecticut
☐ Other _____

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No
(Designations must be a separate document from assignment)Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s) SEE EXHIBIT A
ATTACHED HERETOB. Trademark Registration No.(s) SEE EXHIBIT A
ATTACHED HERETOAdditional number(s) attached ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Judy CarlierInternal Address: c/o CSCStreet Address: 80 State St6th FloorCity: ALBANY State: NY Zip: 122076. Total number of applications and registrations involved: 37. Total fee (37 CFR 3.41).....\$ 90.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account

8. Deposit account number: _____

9. Signature, _____

40.00 OP
50.00 OP

James P. Murphy

Name of Person Signing

Signature

December 31, 2003

Date

Total number of pages including cover sheet, attachments, and document: 6Mail documents to be recorded with required cover sheet information to:
Commissioner of Patent & Trademarks, Box Assignments
Washington, D.C. 20231

01-08-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #66

TRADEMARK
REEL: 002898 FRAME: 0470

Exhibit A

LIST OF TRADEMARKS (ATRIUM DOOR AND WINDOW COMPANY-WEST COAST)

OWNER	MARK	REGISTRATION/ APPLICATION NUMBER	DATE	COUNTRY
Atrium Door and Window Company-West Coast	AARDVARK	1,956,834	02/13/1996	USA
Atrium Door and Window Company-West Coast	AARDVARK - THE FIRST NAME IN VINYL WINDOWS	75/310,636	06/17/1997	USA
Atrium Door and Window Company-West Coast	TRADITIONS	75/314,283	06/24/1997	USA

RELEASE OF SECURITY AGREEMENT

THIS RELEASE OF SECURITY AGREEMENT (this "Release") is made as of December 10, 2003 ("Effective Date") by and between Atrium Companies Inc. as Borrower and the Guarantors party to the Security Agreement (collectively, "Pledgors"), and Fleet National Bank which is the legal successor to BankBoston, N.A. as Administrative Agent for the benefit of the Secured Parties (as defined in the Security Agreement) (the "Administrative Agent").

WHEREAS, pursuant to the terms and conditions of that certain Security Agreement, dated as of October 2, 1998, as amended by Amendment No. 1 to Security Agreement dated as of October 25, 2000 between the Pledgors and the Administrative Agent (the "Security Agreement"), Pledgors pledged, assigned and granted to the Administrative Agent a continuing first priority security interest in all of its right, title and interest in and to the Pledged Collateral (as defined in the Security Agreement), including without limitation the trademark registrations and applications set forth on Schedule 1 hereto (collectively, the "Trademarks"), the patent registrations and applications set forth on Schedule 2 hereto (collectively, the "Patents"), and the copyright registrations and applications set forth on Schedule 3 hereto (collectively, the "Copyrights"), together with the goodwill associated therewith;

WHEREAS, Pledgors and the Administrative Agent entered into the Security Agreement pursuant to the terms and conditions of that certain Credit Agreement, dated as of October 2, 1998, as Amended and Restated October 25, 2000 by and between Pledgors and the Administrative Agent (the "Credit Agreement")

WHEREAS, the Security Agreement relating to the Trademarks was recorded with the Trademarks Division of the U.S. Patent & Trademark Office on October 26, 1998 at Reel 1804, Frame 0365; the Security Agreement relating to Patents was recorded with the Patents Division of the U.S. Patent & Trademark Office on October 26, 1998 at Reel 9525, Frame 0464.; and the Security Agreement relating to Copyrights was filed with the U.S. Copyright Office on October 21, 1998 at Vol. 3424, Page 324;

AND WHEREAS, The Borrower has paid in full all of its outstanding Obligations (as defined in the Credit Agreement);

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Administrative Agent hereby terminates the Security Agreement, and hereby terminates, cancels, re-pledges, reassigns and releases any and all security interests it has against the Pledged Collateral, without warranty or recourse.

If and to the extent the Administrative Agent has acquired any right, title or interest to any of the Pledged Collateral, it hereby assigns and transfers such rights, title or interest to Pledgors.

The Administrative Agent shall take all further actions, and provide to Pledgors and each of its successors, assigns or other legal representatives, all such cooperation and assistance (including, without limitation, the execution and delivery of any and all documents or other

instruments), requested by Pledgors to more fully and effectively effectuate the purposes of this Release.

IN WHITNESS WHEREOF, The Administrative Agent has caused this Release to be executed by its duly authorized representative as of the Effective Date:

Fleet National Bank, as Administrative Agent


By: 
Name: MICHAEL DISANDRO
Title: DIRECTOR

Exhibit A

LIST OF TRADEMARKS (ATRIUM DOOR AND WINDOW COMPANY-WEST COAST)

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